

Appl. No. 10/754,725
Amendment dated: December 20, 2006
Reply to OA of: September 21, 2006

REMARKS

Applicants have amended the claims to more particularly define the invention in view of the outstanding Official Action. In view of the Examiner's helpful suggestion, Applicants have amended claims 1 and 9 by removing "and developing" from step d) in the present application. With respect to claims 1 and 9, "to develop" has been added to step f) in these claims as fully supported by the specification as originally filed, as recognized by the Examiner and as would be appreciated by one of ordinary skill in the art. Applicants most respectfully submit that the amendments to claims are fully supported by the specification as originally filed.

The rejection of claims 1-12 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention has carefully considered but most respectfully traversed in view of the amendments to claims 1 and 9 as fully supported by the specification as originally filed. It is stated in the Official Action that step d) of claim 1 recites "exposing and developing" the photoresist layer and then step f) recites etching the photoresist layer. It is further stated that page 5 of the specification and Figure 2c, clearly show that the photoresist layer is exposed in step d), the particles removed and then the photoresist layer etched to "develop" at that point. In view of the amendments to the claims, it is most respectfully requested that this rejection be withdrawn.

Applicants most respectfully submit that all of the claims now present in the application are in full compliance with 35 U.S.C. 112 and are clearly patentable over the references of record.

The rejection of claims 1-12 on the ground of nonstatutory obviousness-type double patenting as unpatentable over claims 1-9 of U.S. Patent No. 7,005,079 has been carefully considered but is most respectfully traversed. A terminal disclaimer is filed concurrently herewith by Applicants and it most respectfully requested that this rejection be withdrawn.

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Applicants note with appreciation that the 35 U.S.C. 103 rejection has been overcome due to Applicants arguments that the primary reference Ueno does not each particles on the photoresist layer and the secondary references do not correct for the deficiencies in Ueno.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all the claims now present in the application are most respectfully requested.

Respectfully submitted,
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